GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Law Department – Engagement of Senior Counsel by Andhra Pradesh Secretariat Departments for defence in complicated/complex cases before the Hon'ble High Court of Andhra Pradesh - Orders – Issued.

LAW (G) DEPARTMENT

G.O.Rt.No.214 **Dated: 11.08.2022.**

Read the following:-

1. Memo No.5256/L1/05, Law Department, dated: 16.09.2005.
2. G.O.Ms.No.24, Law (G) Department, 03.06.2021.

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ORDER:

In the Memo 1st read above, Government have issued guidelines to engage Senior Counsel in specific cases before the Hon'ble High Court of Andhra Pradesh.

2. In the G.O.2nd read above, Government have issued orders with regard to the procedure of engaging and payment of Senior Counsel in the Hon'ble Supreme Court of India.

3. It is brought to the notice of Government that the Andhra Pradesh Secretariat Departments may need to engage the services of Senior Counsel before the Hon'ble High Court of Andhra Pradesh in certain complicated/complex cases.

4. It is further brought to notice that the procedure for engagement of the Senior Counsel in such cases needs to be streamlined, so that the interest of Government can be defended in a timely manner and without inordinate delay.

5. After careful examination of the matter and in the light of the necessity to defend the complicated/complex cases, wherein necessity of engaging a Senior Counsel before the Hon'ble High Court of Andhra Pradesh is required, the following procedure shall be adopted,-

(a) The Secretary of the Department concerned shall arrive at a definitive conclusion that the subject matter under consideration is complicated/complex and requires the engagement a Senior Counsel.

(b) The Secretary shall ensure that the afore mentioned conclusion is arrived after due application of mind and only in exceptional cases and circumstances, duly recording the reasons in the file.

(c) Consequent to the above, the Secretary shall send the file, duly mentioning the name of the Senior Counsel proposed to be engaged, through the Law Secretary to the Chief Secretary for approval.

(d) The Secretary, shall also mention the amount proposed to be paid to the Senior Counsel, albeit within the ceiling amount of Rs.3,00,000/-(Rupees Three Lakh only) per case, to defend all the respondents in that case.

(e) After according approval by the Chief Secretary, if sufficient budget is available under the relevant Head of Account, the Department shall issue the orders engaging the Senior Counsel, duly mentioning the following details.

(Contd...Pg...2)

(i) Writ Petition /Writ Appeal /etc. number.
(ii) Details of the case in brief.
(iii) Head of Account under which the amount is to be paid.
(iv) Amount to be paid.

(f) In case, there is insufficient or nil budget under the HoA, the Department can issue the orders engaging the Senior Counsel and subsequently send the file to Finance Department for the issue of BRO duly quoting the approval accorded by the Chief Secretary and information mentioned at Para 3(e) (i) to (iv).

6. This order issues with the concurrence of Finance Department in Computer No.1719473, dated: 09.05.2022.

7. The above orders shall be in force till March 2023 and subjected to review thereafter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SATYA PRABHAKARA RAO
SECRETARY TO GOVERNMENT
LEGAL AND LEGISLATIVE AFFAIRS & JUSTICE

To
All Special Chief Secretaries/Principal Secretaries/Secretaries to Government.
All Heads of Department.

Copy to: The P.S. to the Chief Secretary.
" " : P.S. to the Secretary, Law Department.
" " : s/f & s/c.

//FORWARDED::BY ORDER//

SECTION OFFICER